

## ANDERSON KILL P.C.

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[www.andersonkill.com](http://www.andersonkill.com) Plaintiffs are directed to submit to this court:

(1) the document request at issue, (2) Defendants' written response (including any objections) to that request, (3) an explanation as to why the particular document in question is responsive to the request, February 6, 2018

Via ECF and hand delivery

Hon. Debra Freeman

Daniel Patrick Moynihan

United States Courthouse

500 Pearl St., Courtroom 17A  
 New York, NY 10007

relevant to a claim or defense asserted in the action, and proportional to the needs of the case, and (4) if Plaintiffs are taking the position that any objection to production in courtroom 17A has been waived, the basis for that position. Defendants may file a response within two business days of Plaintiff's submission.

Re: Carlos M. Salas et al. v. Peter Salas et al., submissions  
 Case No.: 16-cv-2248

Alex Litt, Esq.  
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 212-278-1021

ORDERED: DATE: 2/8/18

*John M. M.*  
 DEBRA FREEMAN  
 UNITED STATES MAGISTRATE JUDGE

Dear Magistrate Judge Freeman:

We represent Plaintiffs Carlos M. Salas and Ada Cristina Salas in the above captioned matter. We write in response to Defendants' letter dated February 3, 2018 and the Court's Order dated February 6, 2018 and respectfully request that the Court compel Defendants produce Dolphin Offshore Partners 2004 financial statement and sanction Defendants for their repeated refusal comply with their discovery obligations.

On January 24, 2018, during a telephone conference between the parties, Defendants' counsel represented that they would produce documents responsive to Plaintiffs' outstanding requests. After Defendants' most recent document production, which have been outstanding for months, Plaintiffs' counsel informed Defendants' counsel that the Dolphin Offshore financial statement for 2004, which was represented would be produced, was in fact not produced. In response Defendants' counsel stated:

I understand that we had initially agreed to produce the 2004 Dolphin Offshore financial statements; however, upon further consideration, we do not believe they are relevant given that Dolphin Direct was not created until 2004.

See email chain annexed hereto. Defendants' counsel then reaffirmed their intention not to produce this document. See *Id.*

This "objection" is frivolous and without basis in law or fact. This document is clearly relevant to the present litigation and well within the scope of permissible discovery. Defendants' have not provided a reasonable objection to producing these documents. Defendants' meaningless objection and failure to produce this document is exemplary of how Defendants and their counsel have continually

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February 6, 2018

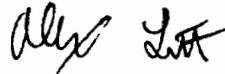
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attempted to hide documents and purposefully delay this litigation, causing unnecessary fees for Plaintiffs.

Accordingly, Plaintiffs respectfully renew their request that the Court order Defendants to produce such documents and sanction Defendants for the repeated obstructionist tactics.

We thank the Court for its attention to this matter.

Respectfully submitted,



Alex Litt

Enclosures

cc: Daniel Osborn, Esq. (via ECF and email)  
*Attorney for Defendants*